



"The City With a Heart"

Larry Franzella, Mayor
Jim Ruane, Vice Mayor
Ken Ibarra, Councilmember
Rico E. Medina, Councilmember
Irene O'Connell, Councilmember

MINUTES

CITY COUNCIL MEETING

July 14, 2009
7:00 p.m.

1. **CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on July 14, 2009 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the **San Bruno Garden Club** for the beautiful floral arrangement.

2. **ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Franzella, Vice Mayor Ruane and Councilmembers O'Connell, Ibarra and Medina in attendance. Recording by Clerk Bonner. **Police Chief Telford** led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

- a. **Mayor Franzella** announced the San Bruno Redevelopment Agency will meet following this evening's meeting.
- b. **Mayor Franzella** announced the regularly scheduled City Council meeting on August 11, 2009 is cancelled.
- c. **Mayor Franzella** announced the Beautification Task Force invites residents to nominate properties for 2009 annual Beautification Awards, nomination forms are available at the City Clerk's Office or on the City's website. **Councilmember O'Connell** invited everyone to look around at his or her neighbors or at businesses and nominate whoever deserves recognition.

4. **PRESENTATIONS:** None.

5. **REVIEW OF AGENDA:** No changes.

6. **APPROVAL OF MINUTES:** Special Meeting Minutes of June 23, 2009 and Regular Council Meeting of June 23, 2009, approved as submitted.

7. CONSENT CALENDAR:

- a. **Approve:** Payroll of June 21, 2009.
- b. **Approve:** Accounts Payable of June 22 and 29 and July 6, 2009.
- c. **Waive:** Second Reading and Adopt by 2/3 Vote of the City Council an Ordinance of the City of San Bruno Amending Section 3.32.010 of the San Bruno Municipal Code to Increase the Transient Occupancy Tax on Rent Charged to Hotel Guests from Ten (10%) to Twelve (12%) Percent.
- d. **Adopt:** Resolution Amending the City Classification Plan by Adopting Position Descriptions for Assistant Library Services Director, Library Services Manager, Children's Services Manager, Circulation Services Manager, Librarian I/II, and Library Assistant I/II Positions
- e. **Approve:** Resolution Authorizing a Regional Grant Application through the Federal Emergency Management Agency's Assistance to Firefighter Grant Program for the Purchase of Mobile and Portable Radios.
- f. **Appoint:** Representative to Bay Area Water Supply and Conservation Association (BAWSCA) Regional Financing Authority (RFA).
- g. **Adopt:** Resolution Confirming Salary and Benefits for the Elected City Clerk and City Treasurer Positions.

Mayor Franzella pulled item 7.g.

M/S Ibarra/Ruane to approve the Consent Calendar and passed with all ayes.

Mayor Franzella pointed out Item 7.g. had been pulled because the City Council reviewed those positions for any parties interested in running in the November election and the salary schedule as well as benefits are available in the City Clerk's office.

M/S Franzella/Medina to adopt the resolution and passed with all ayes.

8. PUBLIC HEARINGS: None.

Hold Public Hearing, Waive First Reading, and Introduce an Ordinance Amending Chapter 4.40 of Title 4 of the San Bruno Municipal Code Relating to Massage Regulations.

City Attorney Thompson gave an overview of the staff report and asked for questions.

Councilmember O'Connell asked if they are required to display their certificate? **City Attorney Thompson** said our City would require they show a certificate of exemption if they are State certified, if not they would be required to show a San Bruno City permit or license.

Councilmember Ibarra said in the new ordinance, zoning regulations are not allowed? **City Attorney Thompson** said for persons not State certified, our existing zoning regulations limit the location of massage establishments and will continue to be in existence; however, for State certified practitioners who are sole practitioners or a business who employs only State practitioners, the City can apply no greater or different regulation to them than they do to other personal or professional service.

Mayor Franzella opened the Public Hearing. No one wished to speak.

M/S Medina/Ibarra to close the Public Hearing and passed with all ayes.

M/S Ruane/Ibarra to waive the first reading and passed with all ayes.

Vice Mayor Ruane introduced the ordinance for adoption and passed with a unanimous vote.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

10. CONDUCT OF BUSINESS:

a. Receive Oral Report on the 2009 Fireworks Season.

Battalion Chief Telles gave an overview of the fireworks activities from the Fire Department.

Police Chief Telford gave an overview of the fireworks activities from the Police Department as well as touching on the activities incurred by Public Works and Park and Recreation.

Councilmember Ibarra asked when an individual was issued the administrative citation for \$1000, were they aware of what the fine was? **Telford** concurred.

Councilmember Medina thanked the Fire and Police for educating. He also said the citations were effective.

Mayor Franzella thanked staff and noted the activities appeared to be down.

b. Receive Quarterly Investment Report from City Treasurer.

Treasurer Marty reported on San Bruno's investments.

c. Receive Report Regarding Traffic Calming Improvements at De Soto Way and Santa Lucia Avenue Intersection.

Engineer Davis gave an overview of the staff report and presented an illustration of the proposed changes through a power point presentation and asked for questions.

Councilmember Ibarra said adequate funding is budgeted; however, back in May there was a configuration of minimal changes? How did this project become \$142,000 and is this taking away from other traffic calming projects? **Davis** said in the CIP those issues were addressed and everything is funded. **Public Services Director Fabry** said funds were not taken from another project.

Councilmember O'Connell asked if the drainage done in Bellaire could be done here? **Davis** said it is certainly a possible alternative; however, if we went back and reconfigured it would not make this construction season.

Councilmember Medina cutting the curb for handicap accessibility is needed.

Councilmember Ibarra asked if there was funding for the additional landscape in that area? **Davis** said there is a small allowance in the estimate.

Mayor Franzella said this is a permanent fix and resolution to the problem and at the same time it will look good. He asked staff to give updates to the neighbors of the projects coming forward.

Councilmember Medina asked if the neighbors have been alerted to the projects pending? **Fabry** said it will be done in the next few days. **Councilmember Medina** asked for a time-line on the DeSoto project. **Fabry** said no later than December of this year.

M/S Ibarra/Medina to approve and passed with all ayes.

d. Approve Expenditures of up to \$6000 from the Art Fund for Equipment and Marketing Materials for the Movies in the Park Series.

Community Services Director Schwartz gave an overview of the staff report and asked for questions.

Mayor Franzella said these expenditures are a reduction from a previous request, thereby saving the City \$8,000.

Councilmember Ibarra asked about some of the community sponsorships, which will even given a larger savings? **Schwartz** said staff would be working with the Culture and Arts Committee to secure some of the sponsorships.

Councilmember Medina asked if there was a concern that the restrooms are across the street? **Schwartz** said this was one of the concerns of the Culture and Arts Commission. Part of the idea is to see how it works and if it doesn't, they would have to pay \$1000 to have the rental equipment company come in to finish up the series. Part-time staff will be helping out in the evenings and lights from the ball field will be turned on at the end of the movie.

M/S Ruane/O'Connell to approve and passed with all ayes.

e. Adopt Resolution Approving Side Letter Agreements Between the City of San Bruno and the San Bruno Management Employees Association, Mid Management Bargaining Unit, Miscellaneous Bargaining Unit, and the San Bruno Professional Firefighters Association, Extending their Existing Memorandum of Understandings, and Authorizing their Execution by the City Manager.

Human Resources Director Yuki gave an overview of the staff report. **City Manager Jackson** added to the report given by Yuki and conveyed the time put into presenting a balanced budget.

Mayor Franzella thanked staff and employees for their hard work.

Vice Mayor Ruane introduced the resolution for adoption and passed with a unanimous vote.

f. Adopt Resolution Authorizing City Manager to Execute Contract with Design, Community and Environment (DC&E) in an Amount not to Exceed \$147,739 for Preparation of Zoning Code and Subdivision Map Ordinance Update.

Community Development Director Akin gave an overview of the staff report and asked for questions.

Councilmember Ibarra asked how will the soon-to-be residential guidelines be incorporated in this? **Akin** said they would be incorporated by reference.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

Mayor Franzella recessed the City Council meeting to the Redevelopment Agency meeting at 7:59 p.m.

Mayor Franzella resumed the City Council meeting at 9:15 p.m.

12. COMMENTS FROM COUNCIL MEMBERS:

Mayor Franzella announced he would not be seeking re-election in the upcoming November election due to organizational changes within his business. He said the nomination period is now open for those wishing to seek the office.

13. CLOSED SESSION:

Mayor Franzella said the City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov't Code Section 4957.6 Regarding Direction for Labor Negotiations with the Public Safety Mid-Management Bargaining Unit and San Bruno Police Bargaining Unit with no reportable action coming from the meeting.

14. ADJOURNMENT:

Mayor Franzella closed the meeting at 9:16 p.m. The next regular City Council Meeting will be held on July 28, 2009 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
At the regular City Council Meeting of
July 28, 2009

Carol Bonner, City Clerk

Larry Franzella, Mayor